

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Establishment – Marketing Department – Sri S.V.Subbanna, Senior Marketing Assistant – Revision of seniority in the cadre of Grading Supervisor Grade-II – Orders –Issued.

AGRICULTURAL MARKETING AND COOPERATION (AM.III) DEPARTMENT

G.O.Rt.No.774

Dt: 10 -7-2012.
Read the following:-

1. Representation of Sri S.V.Subbanna, dt. 24.1.2004
2. From the C7DoAM Lr.No.d(2)428/2004, dt. 28.4.2005 & 11.8.2005.
- 3..G.O.Rt.No.82, A&C(AM.III) Deptt., dt. 21.1.2005.
4. Orders dt. 19.1.2010 of Hon'ble APAT in OA No.5226/2006
5. Representation of Sri S.V.Subbanna, dt. 5.3.2010.
6. Representation of Sri P.Rama Rao, dt. 25.3.2010.
7. Representation of Sri V.Sithaiah, dt. 31.3.2010.
8. From the C&DoAM Lr.No.Estt.Govt.380/2007, dt.30.4.2010,
dt.8.7.2010, and dt.29.7.2011.

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ORDER:-

In the reference 1st read above, Sri S.V.Subbanna has requested for restoration of his seniority and to place him above Sri T.Ramachandra Reddy in the cadre of Supervisor Grade-II. Government having examined the representation in consultation with Commissioner & Director of Agricultural Marketing in the reference 2nd read above, has noticed that Sri S.V.Subbanna has initially been appointed as Recorder in Marketing Subordinate Service and Sri T.Ramachandra Reddy as Junior Assistant, belongs to AP Ministerial Service, and these two candidates have been promoted as Grading Supervisor Grade-II vide proceedings No. Estt.l(2)3961/89, dt 3.1.1990. Sri S.V.Subbanna joined on 1.1.1990 & T.Ramachandra Reddy joined on 24.7.1990, and that the promotion of Sri S.V.Subbanna was in accordance with Service Rules where as the promotion of Sri Ramachandra Reddy was in conformity with the Executive instructions issued in Government Memo.No. 15032/Agri.IV (2)/84-18 , A&C Dept., dt. 25.11.1989, wherein a ratio was prescribed for filling up Supervisor Grade-II, from Junior Assistant, Tracer, recorder with a condition that the incumbents appointed with the above ratio will have no rights for seniority if the ratio is altered at a later date by Government .

2. Subsequently orders have been issued in G.O.Ms.No.370, dt 30.4.1991 amending the Marketing Sub-ordinate Service Rules with prospective effect ie., from 30.4.1991. Therefore Sri T.Ramachandhra Reddy based on the Executive instructions issued during 1989-1990 has no rights to claim seniority from 24.4.1990, ie., the date of joining as Supervisor Grade-II.

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3. On a representation dated 8.4.2002 of Sri S.V.Subbanna, for restoration of seniority in the category of Supervisor Grade-II from the date of joining with effect from ie.,10.1.1990, notice was issued by the Commissioner & Director of Agricultural Marketing, to Sri T..Ramachandra Reddy that he is entitled to seniority from 30.4.1991 and not from 24.4.1990 over and above Sri S.V.Subbanna and Sri S.V.Subbanna has also been informed that his request cannot be considered as per provisions contained in section 26(d) of the AP State and Subordinate Service Rules, 1996, and the said Memo. has been served on him on 18.11.2003, by Assistant Director of Marketing, Kurnool. Sri S.Venkata Subbanna has filed a review appeal before the Government on 24.1.2004 and Government having examined the review petition in consultation with Commissioner & Director of Agricultural Marketing , duly issuing notices to the affected parties and also examining the representations given by the affected parties have found that the representations given are not convincing and not based on substantial grounds, and therefore decided to resort to revision of seniority and to place the name of Sri SV Subbanna above Sri T.Ramachandra Reddy in the seniority list of Grading Supervisor Grade-II invoking the provisions in Rule 24(c.) of A.P. State and Subordinate Service Rules,1996 with a direction to take necessary action by placing the matter before the review DPC vide reference 3rd read above.

4. Aggrieved, Sri V.Sithaiah and Sri P.Rama Rao, have filed OA No. 5226/2006 in the Hon'ble A.P. Administrative Tribunal against the orders revised in the reference 3rd read above and the Hon'ble A.P. Administrative Tribunal in its orders dt.19.1.2010 has while setting-aside the G.O.Ms.No.82 directed the respondents to issue notices to the petitioners and Sri S.V.Subbanna to file any representations along with any decisions in their favour and directed to pass appropriate orders within a period of 3 months from the date of receipt of such explanation and material. Accordingly, notices have been issued to the individuals calling for objections and after examining the objections, have observed that none of the petitioners have specifically stated that they are seniors to Sri S.V. Subbanna but they have only stated that Sri S.V. Subbanna was treated Junior to them from the last several years, and except the instructions issued in Govt. Memo. dt.57759/Ser.A/2004, dt.20.5.2004, they have not submitted any other material to show that they are seniors to Sri S.V. Subbanna.

5. Further Government have considered the request of Sri SV Subbanna under Rule 24 (c.) of A.P. State and Subordinate Rules,1996 for re-fixing his seniority under Rule 33 read with Rule 36 of A.P. State and Subordinate Rules , 1996 as the applicant services were regularized in the category of Grading Supervisor Grade-II with effect from 10.1.1990/24.4.1990 (restricted to his seniors date) and he was placed on probation for a period of one year within a continuous period of two years from the date of his regularization ie., 10.1.1990, and his name was placed over and the above the name of Sri T.Ramachandra Reddy who joined duty on 24.4.1990.

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6. Government have examined the entire matter carefully has decided to reject the representations of Sri V.Sithaiah & Sri P.Rama Rao filed against restoration of seniority of Sri SV Subbanna over and above Sri T.Ramachandra Reddy in the category of Grading Supervisor Grade.II and other cadres , as it does not merit consideration and therefore hereby reject the representations.

7. Consequently to the above decision, Government hereby fix the seniority of Sri S.V. Subbanna in the category of Grading Supervisor Grade-II over and above Sri T.Ramachandra Reddy invoking by the provisions under Rule 24 of A.P. State and Subordinate Services Rules, 1996.

8. The Commissioner & Director of Agricultural Marketing, A.P. Hyderabad shall take further necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

I.Y.R.KRISHNA RAO,
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

The Commissioner & Director of Agricultural Marketing, AP.,Hyderabad
The Individual through Commissioner & Director of Agricultural
Marketing, AP.,Hyderabad.
The Government Pleader for Agriculture & Cooperation Department,
Andhra Pradesh Administrative Tribunal, Hyderabad.
SF/SC.

//forwarded by order//

SECTION OFFICER